UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,676	04/03/2001	Douglas LaVell Hale	2101P	4005

7590	10/07/2004

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EXAMINER
NORRIS, TREMAYNE M

ART UNIT	PAPER NUMBER
2137	

DATE MAILED: 10/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/825,676	HALE ET AL.
	Examiner	Art Unit
	Tremayne M. Norris	2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 April 2001</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
    closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-17</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-17</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on <u>03 April 2001</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2.   Claims 1-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Nessett

et al (US pat 5,968,176).

Regarding claim 1, Nessett teaches a method for providing access control in a

protocol stack, comprising the steps of:

(a) receiving a request to perform an operation at a layer of the protocol stack

(col.4 lines 21-46; col.16 lines 38-42);

(b) calling an access mediator (col.6 lines 64-66; col.7 lines 13-21);

(c) determining if the request is to be granted based upon a predetermined

security policy by the access mediator (col.19 lines 15-43; col.20 lines 42-61; col.21

lines 34-53); and

(d) providing the determination by the access mediator (col.6 lines 64-66; col.7

lines 13-21; col.19 lines 15-43; col.20 lines 42-61; col.21 lines 34-53).

Regarding claim 2, Nessett teaches receiving the request by the layer to perform the operation on an object by a subject at the layer of the protocol stack (col.3 lines 15-17; col.7 lines 7-12).

Regarding claim 3, Nessett teaches calling the access mediator by the layer (col.7 lines 7-21; col.20 lines 42-61).

Regarding claim 4, Nessett teaches returning the determination by the access mediator to the layer (col.19 lines 16-43).

Regarding claim 5, Nessett teaches receiving the request by a layer manager to perform the operation on an object by a subject at the layer of the protocol stack (col.7 lines 7-21).

Regarding claim 6, Nessett teaches the layer manager interfaces with each layer of the protocol stack, wherein the layer manager handles data flow to each layer of the protocol stack (col.7 lines 7-21).

Regarding claim 7, Nessett teaches calling the access mediator by a layer manager (col.7 lines 7-21; col.20 lines 42-61).

Regarding claim 8, Nessett teaches the access mediator is implemented in the layer manager (col.7 lines 7-21).

Regarding claim 9, Nessett teaches returning the determination by the access mediator to a layer manager (col.19 lines 15-43; col.20 lines 42-61).

Regarding claim 10, Nessett teaches passing a subject's identity, an objects identity and requested operation to the access mediator (col.7 lines 7-21; col.8 lines 27-33; col.15 lines 40-55; col.21 lines 34-53).

Regarding claim 11, Nessett teaches allowing the operation to be performed at the layer if the determination is to grant the request (col.15 lines 40-55; (col.19 lines 15-43; col.20 lines 42-61).

Regarding claim 12, Nessett teaches blocking the operation if the determination is to not grant the request (col.15 lines 40-55; (col.19 lines 15-43; col.20 lines 42-61).

Regarding claim 13, Nessett teaches a method for providing access control in a protocol stack, comprising the steps of:

(a) receiving a request by a layer of the protocol stack to perform an operation at the layer (col.4 lines 21-46; col.16 lines 38-42);

(b) calling an access mediator by the layer (col.6 lines 64-66; col.7 lines 13-21);

(c) determining if the request is to be granted based upon a predetermined security policy by the access mediator (col.19 lines 15-43; col.20 lines 42-61; col.21 lines 34-53); and

(d) providing the determination by the access mediator to the layer (col.6 lines 64-66; col.7 lines 13-21; col.19 lines 15-43; col.20 lines 42-61; col.21 lines 34-53).

Regarding claim 14, Nessett teaches a method for providing access control in a protocol stack, comprising the steps of:

(a) receiving a request by a layer manager to perform an operation at the layer of the protocol stack (col.4 lines 21-46; col.16 lines 38-42);

(b) calling an access mediator by the layer manager (col.6 lines 64-66; col.7 lines 13-21);

(c) determining if the request is to be granted based upon a predetermined security policy by the access mediator (col.19 lines 15-43; col.20 lines 42-61; col.21 lines 34-53); and

(d) providing the determination by the access mediator to the layer manager (col.6 lines 64-66; col.7 lines 13-21; col.19 lines 15-43; col.20 lines 42-61; col.21 lines 34-53).

Claims 15-17 are substantially equivalent to claims 13, 14, and 1 respectively, therefore claims 15-17 are rejected because of similar rationale.
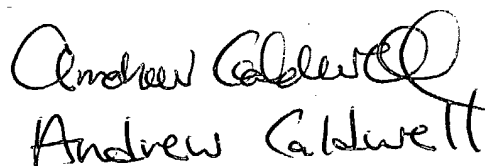
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tremayne M. Norris whose telephone number is (571) 272-3874. The examiner can normally be reached on M-F 7:30AM-5:00PM alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on (571) 272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tremayne Norris

September 23, 2004

Andrew Caldwell